

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 A61K38/55 A61K45/06 A61P17/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, EMBASE, PAJ, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02/053170 A (ANSORGE SIEGFRIED ; LENDECKEL UWE (DE); NEUBERT KLAUS (DE); REINHOLD D) 11 July 2002 (2002-07-11)  page 1 - page 2, line 2 page 4, last paragraph - page 5 page 8 - page 9, paragraph 1 page 11, paragraph 1 page 13 -----	6-12
A	----- DE 100 25 464 A (INST MEDIZINTECHNOLOGIE MAGDEB) 6 December 2001 (2001-12-06) claims 1-13 ----- -/-	1-5, 13, 14
X	-----	1-4, 6-14

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- 'A' document defining the general state of the art which is not considered to be of particular relevance
- 'E' earlier document but published on or after the international filing date
- 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- 'O' document referring to an oral disclosure, use, exhibition or other means
- 'P' document published prior to the international filing date but later than the priority date claimed

- 'T' later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- 'X' document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- 'Y' document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- '&' document member of the same patent family

Date of the actual completion of the international search

15 February 2005

Date of mailing of the international search report

01/03/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl  
Fax: (+31-70) 340-3016

Authorized officer

Hars, J

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 939 560 A (JENKINS PAUL D ET AL) 17 August 1999 (1999-08-17) cited in the application column 1, line 6 - line 27 column 2, line 25 - line 28 column 2, line 64 - line 65 -----	1-3,6-8, 11-14
A	RAYNAUD F ET AL: "CHARACTERIZATION OF SPECIFIC PROTEASES ASSOCIATED WITH THE SURFACE OF HUMAN SKIN FIBROBLASTS AND THEIR MODULATION IN PATHOLOGY" JOURNAL OF CELLULAR PHYSIOLOGY, vol. 151, no. 2, 1992, pages 378-385, XP009040761 ISSN: 0021-9541 abstract -----	1-14
X	FUJII HIDEJI ET AL: "Inhibition of tumor cell invasion and matrix degradation by aminopeptidase inhibitors" BIOLOGICAL AND PHARMACEUTICAL BULLETIN, vol. 19, no. 1, 1996, pages 6-10, XP001204025 ISSN: 0918-6158 abstract -----	1,4-6,9, 11-14
X	WO 03/045228 A (BRIGHAM & WOMENS HOSPITAL ; TUFTS COLLEGE (US); KUCHROO VIJAY K (US);) 5 June 2003 (2003-06-05) page 3, line 18 - line 23 page 7, line 24 - line 29 -----	1-3,5-8, 10-14
A	DIMON-GADAL STEPHANIE ET AL: "MAP kinase abnormalities in hyperproliferative cultured fibroblasts from psoriatic skin" JOURNAL OF INVESTIGATIVE DERMATOLOGY, vol. 110, no. 6, June 1998 (1998-06), pages 872-879, XP002308341 ISSN: 0022-202X abstract -----	1-14
A	DATABASE BIOSIS 'Online! BIOSCIENCES INFORMATION SERVICE, PHILADELPHIA, PA, US; 1983, SAISON M ET AL: "IDENTIFICATION OF CELL SURFACE DI PEPTIDYL PEPTIDASE IV EC-3.4.14.5 IN HUMAN FIBROBLASTS" XP002308342 Database accession no. PREV198477050630 abstract & BIOCHEMICAL JOURNAL, vol. 216, no. 1, 1983, pages 177-184, ISSN: 0264-6021 -----	1-14

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## INTERNATIONAL SEARCH REPORT

International application No.

PCT/EP2004/007377

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: **1-14 (partly)**

because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 1-5, 13, 14 relate to a method for treatment of the human or animal body, the search was carried out and was based on the stated effects of the compound or composition.

2.  Claims Nos.: **1-14 (partly)**

because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

**see additional PCT/ISA/210 sheet**

3.  Claims Nos.:

because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4.  No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

## Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

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**Continuation of Box II.1**

Although claims 1-5, 13, 14 relate to a method for treatment of the human or animal body, the search was carried out and was based on the stated effects of the compound or composition.

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**Continuation of Box II.2****Claims 1-14 (in part)**

The current claims 1-14 relate to substances characterized in each case by a desirable property or characteristic, namely:

- inhibitors of enzymes having the same substrate specificity (DP IV-analogue enzyme activity)
- inhibitors of enzymes have the same substrate specificity (APN-analogue enzyme activity).

Therefore the claims encompass all substances that have this characteristic or property, but the application provides support by the description (PCT Article 5) for only a limited number of such substances. In the present case the claims lack the proper support and the application lacks the requisite disclosure to such an extent that it appears impossible to carry out a meaningful search covering the entire range of protection sought.

Moreover, the claims also lack the requisite clarity (PCT Article 6) since they attempt to define the substances by the desired result in each case. This lack of clarity is also such that it is impossible to carry out a meaningful search covering the entire range of protection sought. Therefore the search was directed to the part of the claims that appear to be clear, supported or disclosed in the above sense, namely the parts concerning the substances:

- inhibitors of DP IV
- inhibitors of APN.

The applicant is advised that claims relating to inventions in respect of which no international search report has been established normally need not be the subject of an international preliminary examination (PCT Rule 66.1(e)). In its capacity as International Preliminary Examining Authority the EPO generally will not carry out a preliminary examination for subjects that have not been searched. This also applies to cases where the claims were amended after receipt of the international search report (PCT Article 19) or where the applicant submits new claims in the course of the procedure under PCT Chapter II. After entry into the regional phase before the EPO, however, an additional search can be carried out in the course of the examination (cf. EPO Guidelines, Part C, VI, 8.5) if the deficiencies that led to the declaration under PCT Article 17(2) have been remedied.

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
WO 02053170	A	11-07-2002		DE 10100052 A1 DE 10102392 A1 DE 10155093 A1 CA 2436724 A1 CN 1484533 T WO 02053170 A2 EP 1349576 A2 JP 2004520330 T US 2004132639 A1	11-07-2002 14-08-2002 12-06-2003 11-07-2002 24-03-2004 11-07-2002 08-10-2003 08-07-2004 08-07-2004
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WO 03045228	A	05-06-2003		AU 2002360453 A1 CA 2466870 A1 EP 1487471 A2 WO 03045228 A2	10-06-2003 05-06-2003 22-12-2004 05-06-2003

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